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PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference ACDPA5143PWO	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/DE2002/003761	International filing date (day/month/year) 07 October 2002 (07.10.2002)	Priority date (day/month/year) 09 October 2001 (09.10.2001)
International Patent Classification (IPC) or national classification and IPC G05B 19/042, A47G 29/14		
Applicant DEUTSCHE POST AG		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 6 sheets, including this cover sheet.

☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 3 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 25 March 2003 (25.03.2003)	Date of completion of this report 26 January 2004 (26.01.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

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International application No.

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I. Basis of the report

1. With regard to the elements of the international application:*

☐ the international application as originally filed☒ the description:pages 2-21, as originally filed

pages _____, filed with the demand

pages 1a-1b, filed with the letter of 04 December 2003 (04.12.2003)☒ the claims:

pages _____, as originally filed

pages _____, as amended (together with any statement under Article 19

pages _____, filed with the demand

pages 1-3, filed with the letter of 04 December 2003 (04.12.2003)☒ the drawings:pages 1/7-7/7, as originally filed

pages _____, filed with the demand

pages _____, filed with the letter of _____

☐ the sequence listing part of the description:

pages _____, as originally filed

pages _____, filed with the demand

pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).☐ the language of publication of the international application (under Rule 48.3(b)).☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

☐ contained in the international application in written form.☐ filed together with the international application in computer readable form.☐ furnished subsequently to this Authority in written form.☐ furnished subsequently to this Authority in computer readable form.☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.4. ☐ The amendments have resulted in the cancellation of:☐ the description, pages _____☐ the claims, Nos. _____☐ the drawings, sheets/fig _____5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

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V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-3	YES
	Claims		NO
Inventive step (IS)	Claims		YES
	Claims	1-3	NO
Industrial applicability (IA)	Claims	1-3	YES
	Claims		NO

2. Citations and explanations

1. Reference is made to the following document:

D1: DE-A-10000830

2. The subject matter of claims 1-3 is not known from the available prior art. For this reason, the subject matter of claims 1-3 satisfies the requirements for novelty within the meaning of PCT Article 33(2).

2.1. Independent Claim 1

Document D1 is considered the closest prior art with respect to the subject matter of claim 1.

It discloses (the references in parentheses are to D1) an electronic package locker arrangement ("locker arrangement 4" in D1; see column 4, line 2 and corresponding figure) with a plurality of electronic package lockers ("lockers 1" in D1; see column 4, line 3 and corresponding figure), one control panel ("operator panel or dialogue data terminal 16" in D1; see column 4, line 4 and corresponding figure) being associated with several electronic package lockers and a central control unit being provided to control the control panels ("computer 8" in D1; see column 4, lines 8-10 and corresponding figure).

However, D1 does not teach that the central control unit contains a means for variably assigning package lockers to the control panels.

Therefore, the subject matter of claim 1 is novel (PCT Article 33(2)).

2.2. Dependent Claims 2 and 3

Claims 2 and 3 are dependent upon claim 1 and thus also satisfy the PCT requirements with respect to novelty.

3. The present application does not satisfy the requirements of PCT Article 33(3) because the subject matter of claims 1-3 does not involve an inventive step (PCT Rule 65.1 and 65.2).

3.1. Independent Claim 1

As explained in section 2.1, document D1 does not disclose that the central control unit contains a means for variably assigning package lockers to the control panels.

The problem to be solved by this additional feature can thus be seen as that of ensuring reliable control of the package lockers in the event of a control panel failure.

There are several conventional possibilities for solving this problem: one solution provides a redundant control panel on site; another solution ensures that the functions of a defective control panel can be taken over by a functioning control panel.

Accordingly, the dynamic allocation of control panels to corresponding package lockers is only one of several obvious possibilities from which a person skilled in the art would choose according to the circumstances in order to ensure continuous, uninterrupted operation at all times, without thereby exercising inventive skill.

For this reason, an arrangement of this type cannot be considered inventive. The subject matter of claim 1 does not involve an inventive step and thus does not satisfy the requirements of PCT Article 33(3).

3.2. Dependent Claims 2 and 3

The dependent claims mentioned do not appear to contain any additional features which, in combination with the features of claim 1, meet the PCT requirements for inventive step.

In the case of claim 3, for example, document D1 discloses a connection between the computer (8) and a central management computer (15) (see D1, column 4, lines 17-25). It is clear from the above that the management computer (15) contains a databank server for exchanging various data, such as locker occupancy information, with the central control unit (computer 8 in D1).

Consequently, the subject matter of claims 2 and 3 does not appear to involve an inventive step (PCT Article 33(3)).

4. The application relates to an electronic package locker arrangement. Industrial applicability is

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therefore established.